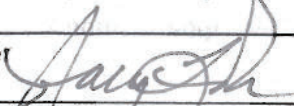

	City of Seattle – Department of Executive Administration and successor	Document: #50 - SWEAT-FREE PROCUREMENT POLICY
	Contact: Nancy Locke, City Purchasing Director (206-684-8903)	Adopted: June 28, 2010
Signature: 	Date: 6/28/10	

Definitions

- a. **Code of Conduct:** A statement that details out all the required worker protections and labor rights that signify a “sweat-free” factory. The bidder signs the Code of Conduct to attest that those factories used for assembly and manufacturing, whether operated by the prime vendor or its subcontractor(s), maintain sweat-free and slave-free conditions. The Code of Conduct must be in a form approved by City Purchasing.
- b. **Sealed Bid Limits:** The Seattle Municipal Code 20.60.106 establishes the threshold at which products must be competitively bid. For 2010, the bid threshold is \$44,000.
- c. **Sweat-free:** Refers to protections against slavery, forced overtime, child labor, excessive hours, below-subsistence wages, discrimination, abuse, harassment, and similar violations. It also protects freedom of association, health and safety. The protections and rights are defined in detail within the Code of Conduct.
- d. **Uniforms:** Includes shirts, trousers, and jackets as “cut and sew” textile garments, bought by the City on a recurring basis. Applies to those products bought with a total value above sealed bid limits.
- e. **Separate Products:** The following items do not fall under the definition of uniforms:
 - **Uniform Accessories:** items such as footgear, duty belts, duty holsters, hats, ballistic vests, fire bunking gear, and police body armor.
 - **Safety Gear:** products and accessories such as vests, raingear, overalls, safety harnesses, and boots.
 - **Rental Uniforms:** products that are rented, cleaned and maintained by a rental agency. For example, the City rents standard-issue shirts, trousers, overalls, lab coats, mops, mats, towels and rags.
 - **Incidentals:** items the City purchases whose total value is less than Sealed Bid Limits. This includes promotional items, such as T-shirts, and ball caps.

Goal

The goal of this policy is to make an aspirational statement that encourages the marketplace to move toward sweat-free production facilities, and to provide a pragmatic and practical approach that can be implemented with likely compliance. City Purchasing will apply this policy to uniform garments which must be competitively bid, and will consider extending it to other products as they become available at a competitive cost in compliance with this policy.

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Purpose

The City of Seattle recognizes its social responsibility to support a diverse, equitable, healthy, and vibrant community and economy. The products and services we buy have inherent social, human, health, environmental and economic impacts on workers and communities. This policy:

- Requires contractors and subcontractors that provide uniform garments to the City of Seattle to abide by a Code of Conduct that declares manufacturing locations to be sweat-free and slave-free.
- Communicates to the public, other public agencies and companies the City's commitment to sweat-free procurement by setting an example in choosing sweat-free and slave-free uniforms.
- Allows for possible expansion to other products, as the marketplace and industry make such products predictably available with adequate inventory at competitive costs.
- Seeks enforcement and monitoring with available resources and capabilities.
- Complements all aspects of social responsibility, including women- and minority-owned business participation, environmental stewardship, fiscal responsibilities, and fair labor practices.

Authority

With the 2010 budget, the Seattle City Council adopted the Statement of Legislative Intent 119-1-A-2, which requests the Department of Executive Administration (DEA) develop and implement a policy for procuring uniforms for City employees that ensures they are manufactured in facilities using fair labor standards.

Areas Affected


- City uniform contracts above Sealed Bid Limits, as they reach the end of contract life including extensions, and are rebid in the marketplace.
- Additional products as directed by the City Purchasing Director, given predictable cost-competitive availability in the marketplace.

Policy

Uniforms, and additional products when specified by City Purchasing, shall incorporate sweat-free requirements and other socially responsible purchasing policies appropriate to each acquisition.

City Purchasing will require bidders to agree to sweat-free requirements for designated products, which include uniform garments and other products designated by the City Purchasing Director. Bidders who fail to comply will be rejected. These requirements apply to the prime vendor, who shall also warrant subcontractor compliance. Requirements include:

- Sign and submit a Code of Conduct on a form approved by City Purchasing;
- Provide a list of all manufacturing facility locations, including names and addresses, used in product manufacturing and assembly; and

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- Agree to cooperate with compliance monitoring upon the City’s request.

City Purchasing shall proactively consider additional products, such as safety gear, uniform accessories, and rental products, if and when such products are known to be available, competitively priced, and have adequate marketplace inventories. City Purchasing may consider the experiences of other cities, or may use such bid strategies such as inviting alternate bids, reserving the right to reject bids, or scoring compliance during proposal evaluation to ensure compliance with this policy.

The City Purchasing Director may exempt a uniform purchase from this policy if:

- No compliant bidders are available and the acquisition is essential;
- The contract is directly with a public entity or by Interlocal Cooperative Purchasing Agreement;
- Acquisitions are less than the Sealed Bid Limits in aggregate annual City spending;
- It is an emergency purchase; and/or
- Grant requirements prohibit the sweat-free policy requirements.

If contracts are executed with sweat-free conditions, the City expects the prime vendor to comply fully. If the prime vendor fails in the opinion of the City given significant factual evidence, the City will reserve rights to terminate or pursue resolution. The City will apply liquidated damages as allowed by law. Contracts will reserve the right for the City to require third-party audits and monitoring. Such costs are borne by the City unless specified otherwise in the contract.

Complaints about compliance may be submitted by any interested party during the bid or contract; complaints during bid and award must comply with City Protest Rules <http://www.seattle.gov/purchasing/default.htm>. Complaints will be investigated by the City for compliance with mandatory submittals; the City may use third parties to investigate if funding allows.

City Purchasing will collaborate with other community interests and public agencies in seeking best practices and will progressively update the policy as best practices evolve. The City will support monitoring initiatives that may benefit from combined resources.

Responsibilities

City Departments shall:

- Anticipate sweat-free standards in uniform contracts.
- In consultation with City Purchasing, identify products in addition to uniforms, where sweat-free requirements may be reasonably applied, given inventory, cost-competitiveness, and availability to meet City business needs.

City Purchasing shall:



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- Promote and ensure the requirements are included in uniform bids, once current contracts reach the end of their intended terms including extensions, and are rebid in the marketplace;
- Collaborate with other community interests, associations and public agencies to share information regarding best practices, pursuit of independent monitoring functions, compliance and enforcement;
- Encourage vendors to bring forward product and service approaches, solutions and alternatives; and
- Encourage other public agencies to consider sweat-free provisions in their contracts, including the State of Washington when the City acquires products through State contracts.

Statutory and Regulatory Standards

In the event of conflicts with the City, State or federal law, the legal code or law shall take precedence and be binding. City Purchasing and its successor may update this policy and the Code of Conduct as needed for practical and technical adjustments and as new best practices or products emerge.

Document Revisions:

The revision history section shows the history of policies and procedures for this particular policy. The original document is always 1.0.

Version #	Revised Date	Description	Approved Date
Adopted	6/28/2010	Policy developed in response to SLI 119-1-A-2, requesting DEA adopt a policy. Briefing Housing, Human Services, Health and Culture Committee on 6/23/2010; vote by full Council to SLI response and thus accept proposed policy on 6/28/2010.	6/28/2010